

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

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OFFICE OF THE BANKRUPTCY CLERK
UTICA, NY

IN RE:

MOISE BANAYAN,

Debtor.

WELLS FARGO EQUIPMENT FINANCE, INC.,

Plaintiff,

-against-

MOISE BANAYAN,

Defendant.

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X

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X

Chapter 7

Case No. 08-60954

Adv. Pro. No. 08-80039

CLERK OF THE
BANKRUPTCY COURT
N.D. OF NY
UTICA

2011 MAR 11 AM 8:25

PAID
Rec'd

**ORDER GRANTING MOTION TO RELIEVE COHEN TAUBER
SPIEVACK & WAGNER P.C. AS COUNSEL TO DEFENDANT MOISE
BANAYAN AND STAYING THIS ACTION FOR THIRTY DAYS**

A motion (the "Motion") having been made by Cohen Tauber Spievack & Wagner P.C. ("CTSW"), counsel to defendant Moise Banayan (the "Defendant"), in the above-captioned action for an order (i) relieving CTSW as counsel to Defendant, granting at least a thirty (30) day period for Defendant to obtain substitute counsel, staying all matters in this action until conclusion of such period, and (iv) for all other and further relief as the Court deems fit and proper, and a hearing having been held before this Court on the Motion on the 15th day of February 2011; it is hereby

ORDERED, that the Motion be, and it hereby is, granted to the extent that CTSW is immediately relieved as counsel to Defendant and this action is stayed for thirty (30) days from the date of entry of this Order.

2011 MAR 11 AM 8:25

FILED

C | T | S | W
COHEN TAUBER SPIEVACK & WAGNER P.C.

Leo L. Esses

Direct: 212-381-8730
Email: lesses@ctswlaw.com

February 16, 2011

Honorable Diane Davis, U.S.B.J.
United States Bankruptcy Court
Northern District of New York
U.S. Courthouse, Alexander Pirnie Federal Building
10 Broad Street
Utica, New York 13501

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Re: In re Banayan, Ch. 11. Case No. 08-60954-6-dd;
Adv. Pro. No. 08-80039-6-dd.

Dear Judge Davis:

Pursuant to our law firm's motion to be relieved as counsel, the Court granted our motion at the hearing on February 15, 2011. We therefore submit a copy of a proposed Order for the Court's signature relieving our firm as counsel to Mr. Banayan and granting a 30 day stay of this action to allow Mr. Banayan to locate new counsel.

We thank the Court in advance for its attention to this matter.

Respectfully submitted,


Leo L. Esses

CLERK OF THE
BANKRUPTCY COURT
N.D. OF NY
UTICA, NY

2011 MAR 11 AM 8:26

FILED

Encl.

cc: Mr. Moise Banayan (*via email*)
Frank Peretore, Esq. (*via email*)

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